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**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

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In re:	:	
	:	PROMESA
	:	
THE FINANCIAL OVERSIGHT	:	Title III
AND MANAGEMENT BOARD FOR	:	
PUERTO RICO,	:	No. 17 BK 3283-LTS
	:	(Jointly Administered)
as representative of	:	
	:	
THE COMMONWEALTH OF	:	
PUERTO RICO, <i>et al.</i> ,	:	
	:	
Debtors. ¹	:	
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**URGENT MOTION OF NATIONAL PUBLIC FINANCE GUARANTEE
CORPORATION FOR LEAVE TO EXCEED PAGE LIMIT FOR OMNIBUS
REPLY IN FURTHER SUPPORT OF THE MOTION OF NATIONAL PUBLIC
FINANCE GUARANTEE CORPORATION FOR ENTRY OF AN ORDER DIRECTING
AN INDEPENDENT INVESTIGATION**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233 (LTS)) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

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To the Honorable United States District Judge Laura Taylor Swain:

National Public Finance Guarantee Corporation (“National”), respectfully submits this urgent motion (the “Urgent Motion”) requesting entry of an order, substantially in the form annexed hereto as **Exhibit A** (the “Proposed Order”), allowing National to exceed the fifteen (15) page limit for memoranda of law in support of replies set forth in Paragraph I.E. of the *Thirteenth Amended Notice, Case Management and Administrative Procedures* [Case No. 17-BK-3283; Docket No. 13512] (“Case Management Procedures”) to file a forthcoming omnibus reply in support of the *Motion of National Public Finance Guarantee Corporation for Entry of an Order Directing an Independent Investigation* (the “Investigation Motion”) of no more than thirty (30) pages (exclusive of the cover page, the table of contents, the table of authorities, the signature page, exhibits, and the certificate of service) (the “Omnibus Reply”). In support of this Urgent Motion, National respectfully state as follows:

Jurisdiction and Venue

1. The United States District Court for the District of Puerto Rico (the “Court”) has subject-matter jurisdiction over this matter pursuant to PROMESA § 306(a). Venue is proper pursuant to PROMESA § 307(a).

Relief Requested

2. National respectfully requests leave to exceed the page limit for reply memoranda of law in support of motions laid out in the Case Management Procedures and instead be limited to no more than thirty (30) pages with respect to the Omnibus Reply, exclusive of the cover page, tables of contents and authorities, signature pages, exhibits, and certificate of service.

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Basis for Relief

3. Paragraph I.E. of the Case Management Procedures provides that “[u]nless prior permission has been granted . . . memoranda of law in support of Replies are limited to fifteen (15) pages.” Case Management Procedures ¶ I.E.

4. On October 5, 2020, National filed the Investigation Motion. *See Docket No. 14450.*

5. On October 13, 2020, the following five objections or responses to the Investigation Motion were filed: (a) the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole representative of the Title III Debtors pursuant to Section 315(b) of the Puerto Rico Oversight, Management and Economic Stability Act (“PROMESA”) filed its *Response of the Financial Oversight and Management Board for Puerto Rico to the Motion of National Public Finance Guarantee Corporation for the Conduct of an Independent Investigation Regarding Certain Trading Activity* (the “Oversight Board’s Response”); (b) the QTCB Noteholder Group (“QTCB”) filed an *Objection of QTCB Noteholder Group to Motion of National Public Finance Guarantee Corporation for Entry of an Order Directing an Independent Investigation* (the “QTCB Objection”); (c) Sculptor Capital LP (“Sculptor”) filed its *Response of Sculptor Capital LP on Behalf of Its Funds to Motion of National Public Finance Guarantee Corporation for Entry of an Order Directing an Independent Investigation; and Joinder In Objection of QTCB Noteholder Group* (the “Sculptor Response”); (d) the Ad Hoc Group of General Obligations Bondholders (the “GO Group”) filed an *Objection of the Ad Hoc Group of General Obligation Bondholders to the Motion of National Public Finance Guarantee Corporation for Entry of an Order Directing an Independent Investigation* (the “GO Group Objection”); and (e) the Lawful Constitutional Debt Coalition (the “LCDC”) filed an *Objection of the Lawful Constitutional Debt Coalition*

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to the Motion of National Public Finance Guarantee Corporation for Entry of an Order Directing an Independent Investigation (the “LCDC Objection”). See Docket Nos. 14539, 14553, 14554, 14556, and 14562.

6. Thereafter, on October 14, 2020, a sixth response was filed to the Investigation Motion, specifically, a *Joinder of the Ad Hoc Group of Constitutional Debtholders to Objections of National Motion for an Investigation* (the “Ad Hoc Group Joinder”) was filed by the Ad Hoc Group of Constitutional Debtholders (the “Ad Hoc Group” and collectively with the Oversight Board, QTCB, Sculptor and the GO Group, the “Objectors”). *See Docket No. 14570.* In total, the Objectors filed six responses to the Investigation Motion that totaled 60 pages.

7. To avoid National potentially filing up to six (6) separate fifteen (15) page reply briefs in response to the six responses to the Investigation Motion, National respectfully submits that it would be both more efficient and more convenient to the Court, if National filed one thirty (30) page omnibus reply. Accordingly, National respectfully requests leave to file a single Omnibus Reply not to exceed thirty (30) pages in length, exclusive of the cover page, the table of contents, the table of authorities, the signature page, exhibits, and the certificate of service.

8. National respectfully submits that the request made is reasonable in light of the objections received and would be the most efficient manner in which to proceed.

9. No prior request for the relief sought in this Urgent Motion has been made to this or any other court.

CERTIFICATION

10. Pursuant to Section I.H. of the Case Management Procedures, undersigned counsel certifies that it engaged in reasonable, good-faith communications

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with counsel for the Objectors regarding the relief requested herein, and these parties do not oppose the same. Moreover, in accordance with Local Bankruptcy Rule 9013-1(a)(2), undersigned counsel certifies that counsel has carefully examined the matter and concluded that there is a true need for expedited consideration of the Urgent Motion, and that National have not created the urgency through lack of due diligence on their part. The undersigned further certifies that National made a bona fide and good faith effort to resolve the matter without a hearing.

WHEREFORE, National respectfully request the Court enter the Proposed Order attached as **Exhibit A**, granting the relief requested herein and all other relief as is just and proper.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this October 16, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2020, I caused the foregoing document to be electronically filed with the Clerk of the Court for the United States District Court for the District of Puerto Rico by using the CM/ECF system, which sent notification of such filing to all CM/ECF participants.

San Juan, Puerto Rico

October 16, 2020

By: /s/ Eric Pérez-Ochoa
Eric Pérez-Ochoa

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EXHIBIT A

Proposed Order

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**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

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In re:	:	
	:	PROMESA
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THE FINANCIAL OVERSIGHT	:	Title III
AND MANAGEMENT BOARD FOR	:	
PUERTO RICO,	:	No. 17 BK 3283-LTS
	:	(Jointly Administered)
as representative of	:	
THE COMMONWEALTH OF	:	
PUERTO RICO, <i>et al.</i> ,	:	
Debtors. ²	:	
-----	X	

**ORDER GRANTING URGENT MOTION OF NATIONAL PUBLIC FINANCE
GUARANTEE CORPORATION FOR LEAVE TO EXCEED PAGE LIMIT FOR
OMNIBUS REPLY IN FURTHER SUPPORT OF THE MOTION OF NATIONAL
PUBLIC FINANCE GUARANTEE CORPORATION FOR ENTRY OF AN ORDER
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Upon the *Urgent Motion Of National Public Finance Guarantee Corporation For Leave To Exceed Page Limit For Omnibus Reply In Further Support Of The Motion Of National Public Finance Guarantee Corporation For Entry Of An Order Directing An Independent Investigation* (the “Urgent Motion”); and the Court having found it has subject-matter jurisdiction over this matter pursuant to PROMESA section 306(a); and it appearing that venue in this district is proper pursuant to PROMESA section 307(a); and the Court having found that the Urgent Motion is unopposed, that movant provided adequate and appropriate notice of the Urgent Motion under the circumstances and that no other or further notice is required; and upon the record herein, after due deliberation thereon, the Court having found that good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED THAT:

1. The Urgent Motion is GRANTED as set forth herein.
2. National may file an Omnibus Reply that is not to exceed thirty (30) pages exclusive of the cover page, the table of contents, the table of authorities, the signature page, exhibits, and the certificate of service.
3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

Dated: _____, 2020

HONORABLE LAURA TAYLOR
SWAIN United States District Judge